

FORM PTO-1390  
(REV. 02/2005)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER

7003/42

U.S. APPLICATION NO. (if known, see 37 CFR 1.55)

Unassigned **10/541633**INTERNATIONAL APPLICATION NO.  
PCT/DE2004/000012INTERNATIONAL FILING DATE  
02 January 2004PRIORITY DATE CLAIMED  
03 January 2003

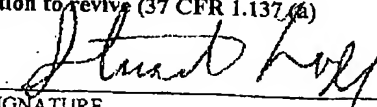
## TITLE OF INVENTION

USE OF ACTIVE INGREDIENTS FOR THE PROPHYLAXIS AND/OR THERAPY OF VIRAL DISEASES

APPLICANT(S) FOR DO/EO/US: Oliver PLANZ; Stephan PLESCHKA; Hans-Harald SEDLACEK; Stephan LUDWIG

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
  2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
  3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
  4. ☒ The US has been elected (Article 31).
  5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
    - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
    - b. ☐ has been communicated by the International Bureau.
    - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
  6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
    - a. ☐ is attached hereto.
    - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
  7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
    - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
    - b. ☐ have been communicated by the International Bureau.
    - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
    - d. ☒ have not been made and will not be made.
  8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
  9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
  10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).
- Items 11 to 20 below concern document(s) or information included:**
11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
  12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
  13. ☐ A preliminary amendment.
  14. ☐ An Application Data Sheet under 37 CFR 1.76.
  15. ☐ A substitute specification.
  16. ☐ A power of attorney and/or change of address letter.
  17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
  18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
  19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
  20. ☐ Other items or information: Statement Under 37 CFR 3.73(b), including copy of Assignment

|   |              |   |            |   |           |
|---|--------------|---|------------|---|-----------|
| U.S. APPLICATION NO. <b>10/541633</b>   |              | INTERNATIONAL APPLICATION NO.<br>PCT/DE22004/000012                           |            | ATTORNEY'S DOCKET NUMBER<br>7003/42   |           |
| The following fees have been submitted:   |              |   |            | CALCULATIONS PTO USE ONLY   |           |
| 21. <input checked="" type="checkbox"/> Basic national fee ..... \$300.00   |              |   |            | \$ 300.00   |           |
| 22. <input checked="" type="checkbox"/> Examination fee   |              |   |            |   |           |
| If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) ..... \$100.00   |              |   |            |   |           |
| All other situations ..... \$200.00   |              |   |            | \$ 200.00   |           |
| 23. <input checked="" type="checkbox"/> Search fee  |              |   |            |   |           |
| Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority ..... \$100.00  |              |   |            |   |           |
| International Search Report prepared and provided to the Office ..... \$400.00  |              |   |            | \$ 400.00   |           |
| All other situations ..... \$500.00   |              |   |            |   |           |
| <b>TOTAL OF 21, 22 and 23 =</b>   |              |   |            | <b>\$ 900.00</b>  |           |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium).<br>The fee is \$250 for each additional 50 sheets of paper or fraction thereof. |              |   |            |   |           |
| Total Sheets  | Extra Sheets | Number of each additional 50 or Fraction thereof (round up to a whole number) | Rate       |   |           |
| 29 - 100 =  | 0 / 50 =     | 0   | x \$250    | \$  |           |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).  |              |   |            | \$ 130.00   |           |
| CLAIMS  | NUMBER FILED | NUMBER EXTRA  | RATE       |   |           |
| Total claims  | 15 - 20 =    | 0   | x \$50.00  | \$  |           |
| Independent claims  | - 3 =        | 0   | x \$200.00 | \$  |           |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable)   |              |   | + \$360.00 | \$  |           |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>  |              |   |            | <b>\$1030.00</b>  |           |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.   |              |   |            | \$  |           |
| <b>SUBTOTAL =</b>   |              |   |            | <b>\$ 515.00</b>  |           |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).   |              |   |            | \$ 130.00   |           |
| <b>TOTAL NATIONAL FEE =</b>   |              |   |            | <b>\$ 645.00</b>  |           |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +  |              |   |            | \$  |           |
| <b>TOTAL FEES ENCLOSED =</b>  |              |   |            | <b>\$</b>   |           |
|   |              |   |            | Amount to be refunded:  | \$        |
|   |              |   |            | charged:  | \$ 645.00 |
| a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.  |              |   |            |   |           |
| b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>50-1047</u> in the amount of <u>\$645.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.  |              |   |            |   |           |
| c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>50-1047</u> . A duplicate copy of this sheet is enclosed.                               |              |   |            |   |           |
| d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.                  |              |   |            |   |           |
| <b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.   |              |   |            |   |           |
| SEND ALL CORRESPONDENCE TO:   |              |   |            |   |           |
| Mayer Fortkort & Williams, PC<br>251 North Avenue West, 2 <sup>nd</sup> Floor<br>Westfield, NJ 07090<br><br>Tel.: 908-518-7700<br>Fax: 908-518-7795   |              |   |            | SIGNATURE<br><br>NAME<br>35,277<br>REGISTRATION NUMBER |           |